

August 2, 2018

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street NW
Washington, DC 20554

VIA ECFS

RE: In the Matter of Petition of USTelecom for Forbearance Pursuant to 47 USC § 160(c) to Accelerate Investment in Broadband and Next-Generation Networks, WC Docket No. 18-141

Dear Ms. Dortch:

On August 1, 2018, JP Violette, Vice President of Sales and Marketing, Rachael Wierson, Network Engineering Manager and myself met telephonically with Terri Natoli and Michele Berlove of the Wireline Competition Bureau. The purpose of the meeting was to provide information related to the above-captioned proceeding on behalf of Blackfoot Communications, Inc. ("Blackfoot").

Blackfoot explained that it operates as an ILEC in Montana and Idaho and a CLEC throughout sixteen Western states. Blackfoot is currently collocated in seven CenturyLink central offices and purchases unbundled network element ("UNE") loops from CenturyLink. Blackfoot primarily purchases multiple DS-0 loops to a single customer location and bonds those loops together to provide advanced data and voice products, including Ethernet transport service at speeds up to 50 Mbps, multi-label protocol switching ("MPLS"), digital subscriber line ("DSL") service, integrated voice and data products, as well as Blackfoot's managed, hosted-IP voice product.

Blackfoot explained that most of its customers being served with UNE loops are large and enterprise level business customers that require high-quality, low latency data services. Blackfoot explained that it is one of very few providers offering these types of products and how eliminating access to UNE loops or increasing the price Blackfoot pays for UNE loops would have an immediate and direct adverse impact on businesses in Montana and Idaho. Specifically, since there are so few providers offering these types of services in Montana, in particular, business customers would simply not be able to buy those services or be forced to pay significantly higher rates for those services.

As a facilities-based CLEC, Blackfoot explained that it has invested millions of dollars in fiber infrastructure in CLEC markets throughout Montana and Idaho. In addition to fiber

infrastructure investment, Blackfoot detailed that it has deployed a vast, fixed-wireless network throughout Montana that is capable of delivering connectivity of upwards of 1 Gbps to end user customers.

Blackfoot explained that access to UNE loops has supported and encouraged additional investment in its CLEC markets. Blackfoot has made a significant infrastructure investment in fiber, fixed wireless facilities or both in every market in which it is collocated. By having access to UNE loops, Blackfoot has multiple physical paths (e.g. owned-fiber, fixed wireless, UNE loops) each with different technological and economic characteristics by which it can best serve its business customers. Blackfoot explained that UNE loops were a complimentary service delivery mechanism to Blackfoot's own facilities and that UNE loops would continue to play an important role in Blackfoot's strategy for the foreseeable future.

In addition, Blackfoot explained that many of its enterprise customers are requesting redundant Ethernet or broadband connections for "mission critical" locations and applications. Think of a hospital or bank—even a short outage can have dramatic impacts. Having access to UNE loops enables Blackfoot to use its own fiber or fixed-wireless solution as the primary connection for one path and utilize a UNE loop connection as an alternative path. Thus, Blackfoot is able to provide a better customer experience and offer redundancy as a service because UNE loops are available. The elimination of UNE loops would, in many cases, mean the elimination of Blackfoot's ability to offer redundancy as a service.

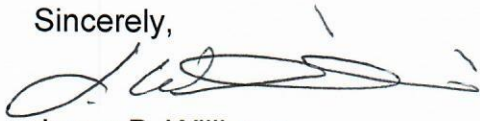
Blackfoot also explained that it has invested heavily in physical collocation space in CenturyLink central offices. For example, over the last 18-months Blackfoot has installed, at great time and expense, a brand new physical collocation facility in a CenturyLink central office in Helena, Montana. Blackfoot noted that eliminated access to UNE loops could render its Helena, MT (and other physical collocation spaces) obsolete, stranding hundreds of thousands of dollars in investment.

Further, Blackfoot provided information about its high construction costs and very short construction "season" in Montana and Idaho due to freezing temperatures for more than six-months out of the year. Currently, fiber builds in Montana's cities are costing Blackfoot \$23 to \$27 per linear foot. Combine engineering and permitting time together with Montana's short, 5 month construction season, and it can take 9-12 months for Blackfoot to construct its own fiber. Compare that to the monthly rate for DS-0 UNE loops (\$23.73 in Montana) and CenturyLink's standard 3-5 business day install time, and it is clear that UNE loops provide the opportunity to turn-up a customer's service request much faster and in many instances much less costly than a Blackfoot fiber build.



Lastly, Blackfoot explained that while the current regulatory regime and requirements of Section 251(c) do seem to be “overkill” in today’s telecommunications and broadband environment, it also explained that states like Montana, Idaho and Wyoming are different than other states because they are very rural with very expansive geographies and limited population centers. Blackfoot noted that the primary cable television operator in Montana has very few fiber assets available. In addition, Blackfoot offered that it has been its first-hand experience that CenturyLink is making very little fiber investment in Montana and that continued access to copper facilities in the form of UNE loops is necessary. Thus, Blackfoot advocated that in considering the USTelecom petition, it would be appropriate to look at the specific and unique data and evidence of each legacy Regional Bell Operating Company service territory.

Sincerely,



Jason B. Williams
Chief Executive Officer

CC: Terri Natoli
Michele Berlove

